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IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF CALIFORNIA

CENTER FOR BIOLOGICAL DIVERSITY, Plaintiff, v. The UNITED STATES FISH AND WILDLIFE SERVICE and DIRK KEMPTHORNE, Secretary of the United States Department of the Interior, Defendants.	No. 3:07cv02379-W (NLS) **JOINT MOTION TO CONTINUE EARLY NEUTRAL EVALUATION**

COME NOW THE PARTIES, Plaintiff, Center for Biological Diversity, and Federal Defendants, the United States Fish and Wildlife Service and Dirk Kempthorne, Secretary of the United States Department of the Interior, by and through their undersigned counsel, and hereby jointly move the Court to continue the date for the early neutral evaluation, currently set for April 2, 2008, for 60 days.

In support of this motion the parties state as follows:

1. The parties have had productive settlement discussions and believe that they have reached an agreement in principle at the staff level on the terms of a settlement.
2. The parties need additional time to negotiate and finalize the terms of a written settlement document.
3. Subsequent to agreement on the terms of a written settlement document, the Federal Defendants need additional time to seek formal review and approval of the recommended settlement from the appropriate officials at the Departments of Justice and the Interior.
4. The parties seek this stay to allow them to devote their resources to attempting to finalize a settlement rather than continuing to pursue litigation tasks. If a settlement is finalized, the need for further litigation proceedings will be obviated.

Based upon the foregoing, it is respectfully requested that the Court enter an order, under Fed. R. Civ. P. 6(b)(1), continuing the date of the early neutral evaluation for at least 60 days and set the early neutral evaluation on such date thereafter and at such time as the Court orders. In the alternative, the parties request that the Court grant them leave to participate in the early neutral evaluation via telephone.

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Dated: March 11, 2008

Respectfully submitted,

/s/ Lisa T. Belenky
Lisa T. Belenky
Justin Augustine
CENTER FOR BIOLOGICAL DIVERSITY

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Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures of the United States District Court for the Southern District of California, I certify that the content of this document is acceptable to counsel for the Plaintiff and that I have obtained authorization from Lisa Belenky to affix her electronic signature to this document.

/s/ Lawson E. Fite
LAWSON E. FITE